

**08 C 330**

**EXHIBIT C**

**JUDGE KENDALL  
MAGISTRATE JUDGE MASON**

age 2 of 4  
492-2299

35/18

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT  
WILL COUNTY, ILLINOIS

KENNETH C. FLETCHER, SR. )  
Plaintiff, ) Case No.: 07 L 802  
v. )  
WERNER COMPANY and MENARD, INC. )  
Defendants. )

2008 JAN - 8 JAN 10:22

## NOTICE OF FILING

TO: Tribler Orpett & Meyer, P.C.  
225 West Washington, Suite 1300  
Chicago, IL 60606

PLEASE TAKE NOTICE that we have caused to be filed with the Circuit Clerk of Will County, Joliet, Illinois, this 6<sup>th</sup> day of January, 2008, the following document(s):

## PLAINTIFF'S RESPONSE TO DEFENDANT'S REQUEST TO ADMIT FACTS

Kenneth C. Fletcher, Sr., Plaintiff,

BY: Thomas J. Manzella  
THOMAS J. MANZELLA  
One of the Attorneys for Plaintiff

THOMAS J. MANZELLA  
BLOCK, KLUKAS & MANZELLA, P.C.  
19 West Jefferson Street  
Joliet, Illinois 60432  
(815) 726-9999

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing was served upon the attorneys of record of all parties to the above cause by enclosing the same in the envelope addressed to such attorneys at their business address as disclosed by the pleadings of record herein, with postage fully prepaid and by depositing said envelope in a U.S. Post Office Mail Box in Joliet, Illinois on the 8/14 day of January, 2008.

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PLAINTIFF'S RESPONSE TO DEFENDANT,  
WERNER CO.'S, REQUEST TO ADMIT FACTS

NOW COMES the Plaintiff, KENNETH C. FLETCHER, SR., by and through his attorneys, BLOCK, KLUKAS & MANZELLA, P.C., and in response to Defendant, WERNER CO.'s, Request to Admit Facts, states as follows:

1. The amount that plaintiff will seek to recover from defendants in this litigation exceeds \$75,000.00, exclusive of interest and costs.

RESPONSE: At this time, Plaintiff denies each and every allegation contained in Paragraph One of Defendant's Request to Admit Facts, and more fully states that the amount sought by Plaintiff, per the ad damnum of his Complaint, is in excess of \$50,000, thereby meeting the statutory requirements and local rules for filing lawsuits in the Civil Law Division in the Circuit Court of the Twelfth Judicial Circuit, Will County, Illinois. Answering further, it will be the jury's determination on the proper and just amount of compensation to Plaintiff, exclusive of interest and costs.

2. Plaintiff was a citizen of the State of Illinois when the alleged incident occurred on January 13, 2006.

RESPONSE: Plaintiff admits the allegations contained in Paragraph Two of the Defendant's Request to Admit Facts.

3. Plaintiff was a resident of the State of Illinois when the alleged incident occurred on January 13, 2006.

RESPONSE: Plaintiff admits the allegations contained in Paragraph Three of the Defendant's Request to Admit Facts.

4. Plaintiff is currently a citizen of the State of Illinois.

RESPONSE: Plaintiff admits the allegations contained in Paragraph Four of the Defendant's Request to Admit Facts.

5. Plaintiff currently resides in the State of Illinois.

RESPONSE: Plaintiff admits the allegations contained in Paragraph Five of the Defendant's Request to Admit Facts.

Kenneth C. Fletcher  
Kehneth C. Fletcher, Sr., Plaintiff

Thomas J. O'Malley  
\_\_\_\_\_  
Atorneys for Plaintiff

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17 West Jefferson Street  
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